

ESSEX-NEWARK LEGAL SERVICES

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November 3, 2000

WONG & FLEMING, P.C.
Attn: Linda Wong, Esq.
2035 Lincoln Highway, Suite 1050
P.O. Box 985
Edison, New Jersey 08818RE: Frank Hutchins Adv. Essex Plaza Mgmt. Assoc./S.H.E. Urb. Renewal

Dear Ms. Wong:

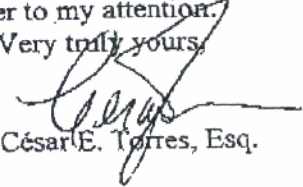
This office has agreed to represent Frank Hutchins with respect to your October 23, 2000 letter. At issue is the right of a Newark resident of a subsidized building to petition the Newark Municipal Council's Tax Abatement Committee to table consideration of a tax abatement application so that the Committee might discuss various issues pertaining to the management company at the property.

As a preliminary matter, your letter fails to identify any statements made by Mr. Hutchins whatsoever, and on that basis alone it is your threatening letter that should be immediately withdrawn.

Moreover, as an attorney concerned with civil rights in New Jersey you are surely aware that our state's Supreme Court views with great concern efforts to suppress the rights of citizens to petition public officials via threats of meritless defamation type actions, particularly when issues of public interest are concerned – such as is a tax abatement petition. As stated by the Supreme Court in *Kotlikoff v. The Community News*, 89 N.J. 62, 73 (1982), the Court is "loathe to discourage that robust and uninhibited commentary on public issues that is part of our national heritage." Further I commend to your reading the recent Appellate Division opinion written by Judge Pressler, *LoBiondo v. Schwartz*, 323 N.J. Super. 391, 423 (App. Div. 1999). Surely your further pursuit of this matter would require that such analysis be brought to bear on your clients demands.

Kindly direct any future correspondence in this matter to my attention.

Very truly yours,


César E. Torres, Esq.*Affordable, decent housing is a human right.*